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JPMORGAN CHASE BANK, N.A.,
As Acquirer of Certain Assets and Liabilities of
Washington Mutual Bank

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ACTUATE CORPORATION, a Delaware
corporation,

Plaintiff,

v.

JPMORGAN CHASE BANK, N.A., a Delaware
corporation, as Acquirer of Certain Assets and
Liabilities of WASHINGTON MUTUAL
BANK, a Washington corporation,

Defendant.

CASE NO.: CV 08-2918 SI

**STIPULATION OF DISMISSAL OF
ACTION WITH PREJUDICE
PURSUANT TO FEDERAL RULE OF
CIVIL PROCEDURE 41(a)(1)(A)(ii);
[PROPOSED] ORDER THEREON**

Hon. Susan Illston

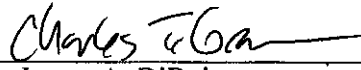
Complaint Filed: June 11, 2008
Trial Date: December 7, 2009

STIPULATION

IT IS HEREBY STIPULATED by and between Plaintiff Actuate Corporation and Defendant JPMorgan Chase Bank, N.A., as Acquirer of Certain Assets and Liabilities of Washington Mutual Bank, that this entire Action, including all claims asserted in Plaintiff's Amended Complaint For Breach Of Contract, Copyright Infringement, and Quantum Meruit/Quantum Valebant, be dismissed with prejudice, pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii).

Dated: September 30, 2009

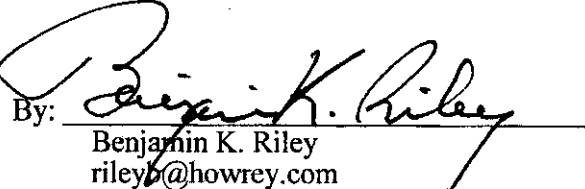
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Dated: September 30, 2009

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By: 
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Attorneys for Defendant
JPMorgan Chase Bank, N.A.,
As Acquirer of Certain Assets and
Liabilities of Washington Mutual Bank

[PROPOSED] ORDER

Pursuant to the stipulation of the parties and good cause shown therefor, this entire Action, including all claims asserted in Plaintiffs' Amended Complaint For Breach Of Contract, Copyright Infringement, and Quantum Meruit/Quantum Valebant, is hereby dismissed with prejudice, pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii).

Dated: _____



The Honorable Susan Illston
United States District Judge

1 I, Charles T. Graves, am the ECF User whose identification and password are being used
2 to file this STIPULATION OF DISMISSAL OF ACTION WITH PREJUDICE PURSUANT TO
3 FEDERAL RULE OF CIVIL PROCEDURE 41(a)(1)(A)(ii); [PROPOSED] ORDER
4 THEREON. In compliance with General Order 45.X.B, I hereby attest that BENJAMIN K.
5 RILEY has concurred in this filing.

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Dated: September 30, 2009

WILSON SONSINI GOODRICH & ROSATI
Professional Corporation

By: /s/ Charles T. Graves
Charles T. Graves